

SFC CLERK RECORDED 02/13/2007

**TOWN OF EDGEWOOD
ORDINANCE NO. 2007-5**

AN ORDINANCE GRANTING THE PETITION BY OWNERS OF A MAJORITY OF 1086.67 ACRES OF TERRITORY CONTIGUOUS TO THE SOUTHERN AND NORTHERN BOUNDARY OF THE MUNICIPAL LIMITS IN SECTIONS 2, 10, 11, AND 35 OF THE TOWN OF EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.

WHEREAS; THE TOWN OF EDGEWOOD granting the owners of a majority of 1086.67 acres of territory contiguous to the eastern boundary of the municipal limits in Sections 2, 10, 11, and 35 of the Town of Edgewood petition the Town to annex the territory; and

WHEREAS, the annexation petition delivered to the Town Clerk complies with the requirements of NMSA 1978, S3-7-17 (Repl. Pamp 1987) and was, prior to signature by petitioners, duly approved by the Town Clerk, pursuant to NMSA 1978, S3-1-5 (Repl. Pamp. 1987) and

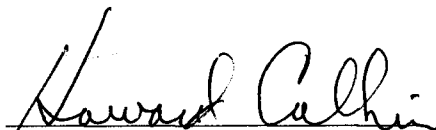
WHEREAS, in particular, the annexation petition is accompanied by one map labeled Exhibits "A" showing respectively the external boundary of the territory proposed to be annexed and the relationship of such territory to the existing Town boundary; and

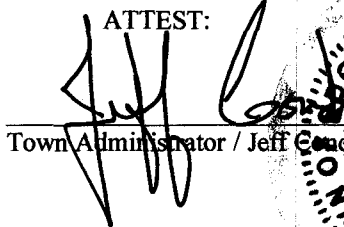
WHEREAS, the Governing Body of the Town of Edgewood has determined that the Town is capable of providing municipal services to the territory proposed to be annexed within a reasonable time and that the annexation is in the best interests of the Town as a whole.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD THAT:

The territory described and defined in the map attached hereto as Exhibits "A" is hereby annexed to the Town of Edgewood and is hereby made subject to all of the laws and ordinances, which shall now or hereafter apply to land within the Town limits. Further, the Council hereby directs the Town Clerk to file a copy of the map of the annexed territory in the office of the Clerk of Santa Fe County and of any other County in the event the annexed territory extends into another County and to send copies of the ordinance and of the maps of the territory so annexed to the Secretary of Finance and Administration and to the Secretary of Taxation and Revenue.

APPROVED, PASSED AND ADOPTED this 7th day of February 2007 at an open meeting held at the Edgewood Community Center, Town of Edgewood, New Mexico.


Mayor/Howard Calkins

ATTEST:

Town Administrator / Jeff Cond

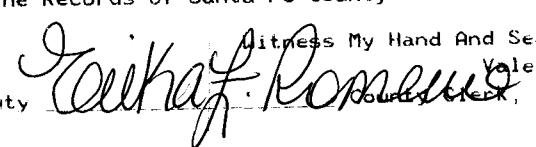


COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

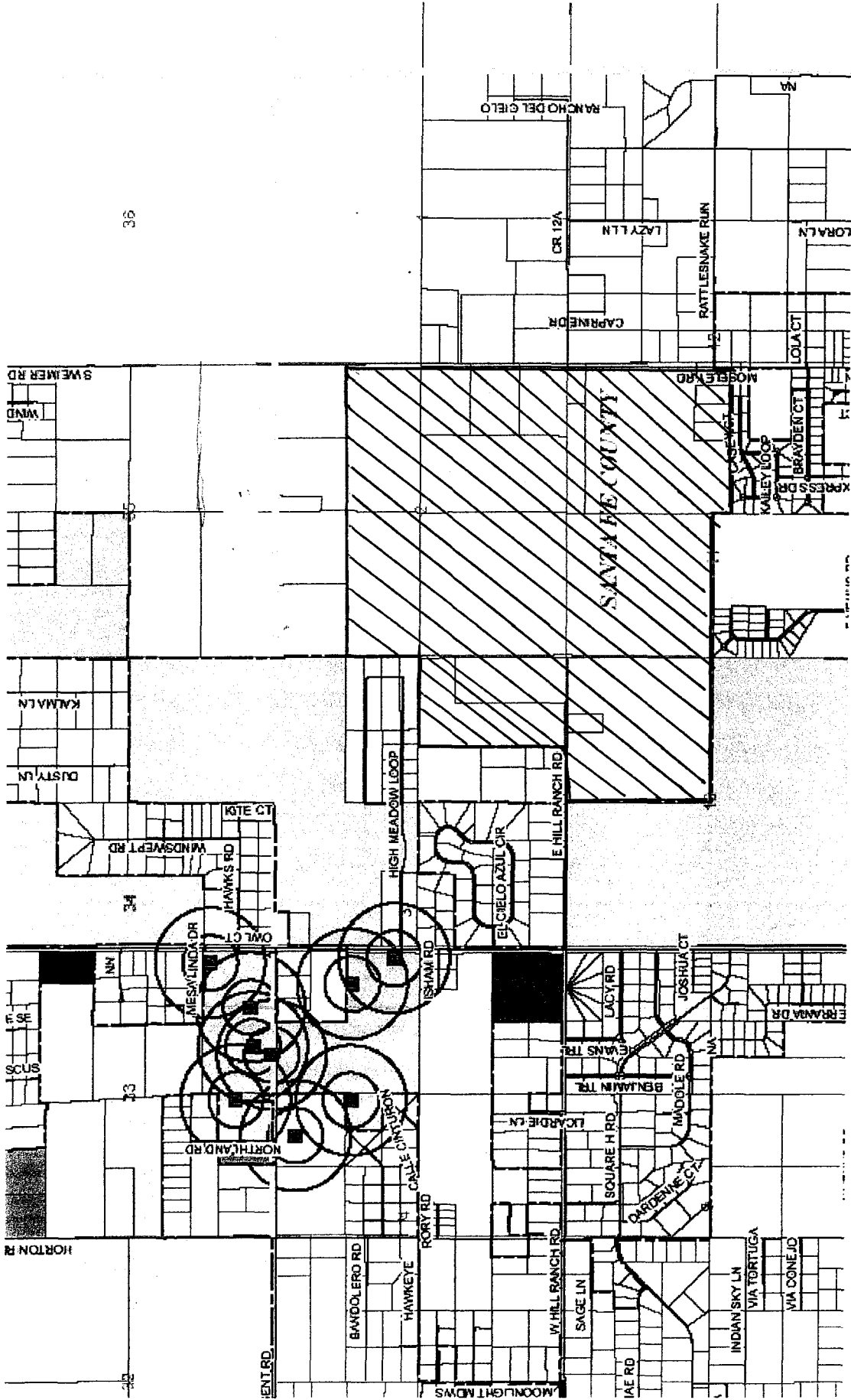
EDGEWOOD ORDINANCE
PAGES: 5

Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of February, A.D., 2007 at 09:46
And Was Duly Recorded as Instrument # 1470771
of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM


Deputy

AREAS TO BE ANNEXED



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TOWN OF EDGEWOOD
EXHIBIT "A"
Annexation of Territory

South of E. Hill Ranch Road

Map Code 1-040-059

<u>Property Code</u>	<u>Acreage</u>
395-398	160.00 <i>Sec 10</i>
347-497	5.00 <i>Sec 10</i>

Map Code 1-041-059 - *Section 11*

<u>Property Code</u>	<u>Acreage</u>
410-285	5.003
446-285	5.003
479-285	5.003
510-285	5.003
396-296	140.735
488-510	5.00
396-510	15.110
140-396	160.000

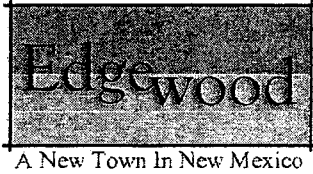
North of E. Hill Ranch Road

Map Code 1-041-060

<u>Property Code</u>	<u>Acreage</u>
418-147	61.000 <i>Sec 2</i>
484-096	37.410

Map Code 1-041-060

<u>Property Code</u>	<u>Acreage</u>
129-330	80.00 <i>Sec 2</i>
394-330	80.00
131-131	160.00
394-330	80.00
463-217	28.80
463-129	26.80
463-042	26.80



PETITION FOR ANNEXATION

Pursuant to NMSA 1978, 3-7-17, the undersigned petitioner(s) requests that the Town of Edgewood, by ordinance, grant this petition for annexation of land(s) contiguous to the municipal limits.

Petitioner(s): BASSETT TRUST Telephone: (505) 281-3155
(Attach proof of ownership: If not owner, must also provide notarized statement of authorization from owner.)
Mailing Address: c/o. Josephine Bassett P.O. Box 100
Edgewood, New Mexico 87015-0100

Signature: Josephine Bassett Date: January 22, 2007
Trustee Date:

LEGAL DESCRIPTION OF PROPERTY: (Attach additional sheets as necessary.)
Various Tracts in Sections 2, 10, and 11, T10N R7E; and in
Section 35 T11N R7E; N.M.P.M; Santa Fe county, as shown on an
attached "Ownership Analysis" and accompanying maps.

TOTAL ACREAGE OF PROPERTY: 960 acres +/-

REQUESTED ZONING DESIGNATION FOR PROPERTY: Agricultural
(Please note that the final zoning designation by City Council may differ from the requested designation.)

INSTRUCTIONS: Type or print clearly on this form and attach a map showing the external boundary of the territory proposed for ANNEXATION, and its relationship to the existing boundary of the TOWN of EDGEWOOD. Territory proposed for annexation must be contiguous to the existing limits of the TOWN.

NOTE: Although deemed effective at the time of filing with the County Clerk, annexations do not become complete until 30 days (thirty) after such filing, being subject to public appeal in District Court during said period.

Commission Hearing Date: 2/5/07
Commission Recommendation: Approve

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along Highway 344; Nathan Seagull presented concerns from the residents of Mesa Linda Drive about the potential traffic problems in the future without widening Highway 344 or creating turnouts or the installation of traffic lights. Mr. Strozier stated that the traffic impact analysis was being worked on so as to prevent future problem and the design is being worked on with the New Mexico Department of Transportation. Proposed entrances were on high points along Highway 344 to aid in the visibility problem, turnouts will be constructed as required. Commissioner Fulwiler requested information on the character of the adjacent properties as per section 10.I of the subdivision ordinance. Commissioner Fulwiler moved to table SU-2007-2 until the information about the adjoining properties could be clarified and the terms and conditions surrounding septic management for households on the Entranosa Water System. The motion died for lack of a second. Commissioner Lowry moved to approve SU-2007-2 conditioned up satisfactorily complying with all requirements of the ordinances as stated in the staff report, an engineered wastewater treatment for phase 1 and the conditions of Entranosa Water Septic management coming forward for the Commission's consideration. Commissioner Fulwiler asked for a friendly amendment that the motion include information to be brought forward to the commission for review about the character of neighboring properties. Commissioner Lowry agreed; the motion was seconded and passed unanimously.

Section 35 was approved @ R-2 and on Ord. 2007-5 +6

Out-of Public Hearing

8. Annexation zoning for Tracts in Section 2, 10, and 11 T10N R7E and Section 35 T11N R7E; Zoning for Cielo Azul-annexation by assumption-R-2, residential 2 acre, annexation for the Bassett properties, AG-Agricultural. Commissioner Fulwiler moved to recommend R-2, two-acre zoning; the motion was seconded and approved unanimously.

9. Annexation zoning for a portion of Section 27 T10N, R7E on the south of Church road and east side of Highway 344-AG-agricultural. Commissioner Chemistruck moved to recommend AG-agricultural zoning; the motion was seconded and approved unanimously.

10. Annexation zoning for a portion of Section 27 T10N, R7E, on the east of Highway 344; Carl's subdivision C-1 for lots 3-R and lots 4-6. Commissioner Fulwiler moved to recommend C-1 zoning; the motion was seconded and approved unanimously.

11. Annexation zoning for a portion of Section 27 T10N, R7E of Carl's subdivision on the east of Highway 344; R-4 for lot 8. Commissioner Chemistruck moved to recommend R-4 zoning; the motion was seconded and approved unanimously.

12. Annexation zoning for a portion of Section 28 T10N, R7E on the north of I-40, west of Highway 344; 75 acres requested zoning AG-agricultural. Commissioner Lowry moved to recommend AG-agricultural zoning; the motion was seconded and approved unanimously.

13. Annexation zoning for a portion of Section 26 T10N, R7E on the south of Church between Quail Trail and Williams Ranch road, 310 acres-requested zoning AG-Agricultural. Commissioner Fulwiler moved to recommend AG-agricultural zoning; the motion was seconded and approved unanimously.

14. Annexation zoning for assumption lands in Section 26 T10N, R7E approximately 100 acres R-1 residential. Commissioner Fulwiler moved to recommend R-1 residential zoning; the motion was seconded and approved unanimously.

15. Adjourn.

Planning & Zoning Commission
6:00 pm. February 5, 2006
Edgewood Community Center-27 E. Frontage Rd.
MINUTES

1. Call to order. The meeting was called to order at 6:00 pm. Commissioners Chemistruck, Fulwiler, Lowry and Rea were in attendance. Commissioners Gillmer and Vogel were absent.
2. Approve agenda. Commissioner Chemistruck moved to approve the agenda; the motion was seconded and approved unanimously.
3. Approve minutes of 1-22-07. Commissioner Lowry moved to approve the minutes of 1/22-07; the motion was seconded and approved unanimously.

PUBLIC HEARING-QUASI JUDICIAL PROCEDURE

Certification that Public Notice of this Meeting has been posted as required was made by Ms. Mahalick; all parties confirmed there were no conflicts of interest/ex parte contacts

4. Preliminary Plat approval of Kohl Estates SU-2006-18, 15 acres divided into 8 lots, located east of Highway 344 on the north side of Hawks Road. Zoned R-1 Residential 1-acre. The applicant's representative, Mr. Oden was sworn in and presented an updated packet for review with a letter of commitment for water service dated January 23, 2007. At present there is not a fire review on file for Kohl Estates and there needs to be an emergency contact number for the individuals responsible for the road maintenance prior to the all lots being sold as per the disclosure statement. Commissioner Fulwiler moved to approve SU-2006-18; the motion was seconded and approved unanimously.

5. Final Plat approval of Windmill Ranch SU-2006-9, 14.7 acres divided into 5 lots, located on Blue Mule. Zoned R-1 Residential 1-acre. Mr. Oden, (previously sworn in), represented the applicant Boyden construction and stated that the applicant had improved Blue Mule to the requirements of the subdivision ordinance; restored the lots which had been graded and had stockpiles of dirt, and improved the ponds as per the requirements of the drainage plan. Commissioner Fulwiler moved to approve SU-2006-9; the motion was seconded and approved unanimously.

6. Preliminary Plat of Pillars SU-2006-20, 11.248 acres divided into 2 lots, located on Woodline Drive. This plat shows a hammerhead for emergency vehicle turn-around as requested previously by the Commission, Mr. Oden is requesting final plat approval for this applicant. Commissioner Fulwiler moved to approve final plat approval conditioned upon the improvement to Woodline drive adjacent to the western boundary of the property. The motion was seconded and approved unanimously.

7. Preliminary Plat of Cheyenne Estates SU-2007-2 153 acres divided into 105 +2 Tracts, located at the corner southeast corner of Highway 344 and Kings Highway. Zoned Master Plan. Jim Strozier of Consensus Planning, John Jacquez of Miller Engineering, Tim McNaney, and Nathan Seagul were sworn in as was Ms. Page. There were questions addressed about the 10 acres to be subdivided out for future use, perhaps commercial though at this time there were not any plans available for future development. Phase 1 of this subdivision is within the wellhead protection zone for Entranosa Water and commissioners had received a letter from Richard Rose who is an adjacent landowner and a professional engineer affiliated with the New Mexico Environmental Department, stating concern that these lots posed a potential pollution threat to the wells. Mr. Strozier stated the developer would willingly engineer on site systems capable of preventing this threat. Concerns were raised about the traffic and the sight distance problems

PETITION REQUESTING THE TOWN OF EDGEWOOD TO ANNEX A CERTAIN TERRITORY

Pursuant to NMSA 1978, §3-7-17 the undersigned petitioners request that the Town of Edgewood, by ordinance, grant this petition and annex approximately _____ acres of territory contiguous to its current _____ boundary. Attached to this Petition as Exhibits "A" and "B", are two maps, the first being a map showing the external boundaries of the territory proposed to be annexed and the relationship of this area to the existing Town boundaries and the second being a map showing the boundaries of the territory proposed to be annexed. The undersigned petitioners own a majority of the number of acres in the area proposed for annexation.

[Signature] ORRIS H. MOSELEY Nov 24 2006
Signature Print Name Date

Owner of approximately 107 acres in the area proposed for annexation.

[Signature] GWEN R. VAN DOREN 11-24-06
Signature Print Name Date

Owner of approximately 27 1/2 acres in the area proposed for annexation.

[Signature] Doris Morris 11-24-06
Signature Print Name Date

Owner of approximately 27 1/2 acres in the area proposed for annexation.

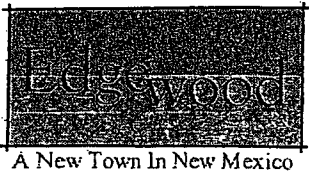
[Signature] Glen Bassett 01-22-07
Signature Print Name Date

Owner of approximately 154 acres in the area proposed for annexation.

Signature Print Name Date

Owner of approximately _____ acres in the area proposed for annexation.

8



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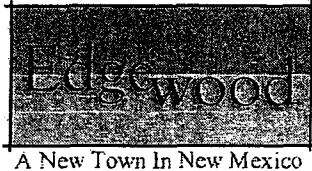
TOTAL ACREAGE OF PROPERTY: 960 acres +/-

REQUESTED ZONING DESIGNATION FOR PROPERTY: Agricultural
(Please note that the final zoning designation by City Council may differ from the requested designation.)

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Commission Hearing Date:
Commission Recommendation:



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